REMARKS

This paper is in response to the Final Office Action of August 22, 2006. The Applicant has amended claims 1, 9, and 17. The amended claims contain no new matter and are fully supported by the specification. Accordingly, the Applicant respectfully submits that pending claims 1-17 are now in condition for allowance in light of the amendments and remarks below.

Claim Rejections Under §102(b)

The Examiner rejected claims 1 and 17 under 35 U.S.C. 102(b) as being anticipated by Wu et al. (Patent No. 6,157,663) or Heritier et al. (Patent No. 5,455,838). In light of the amendments and arguments contained herein, the Applicant respectfully requests that this rejection be withdrawn.

In contrast to claims 1 and 17, as amended herein, both Wu et al. and Heritier et al. fail to teach or suggest "spacing between the high-power diode bars and the location of the diode array from the laser rod are selected such that the full-width, half max (FWHM) point of the radiation from one diode bar overlaps the FWHM point of the radiation of an adjacent diode bar so that the radiation received by the laser rod fluctuates less than about 30% along the entire length of the laser rod" (See Applicant's Claims). Specifically, both Wu et al. and Heritier et al. are completely silent as to spacing the high-power diode bars and the locating the diode array away from the laser rod so as to effectuate an operating condition where the radiation received by the laser rod fluctuates "less than about 30% along the entire length of the laser" (See Applicant's Claims). Wu et al. does disclose emitters producing "a bar of light of substantially uniform intensity along the horizontal direction," however, this is an indefinite operating condition that fails to quantitatively disclose what "substantially uniform intensity" actually means (See Wu et

al., column 18, lines 38-40). As such, it is clear though that "substantially uniform intensity" does not color upon the operating condition that the diode bars are spaced and the diode array is located away from the laser rod in such a manner that the radiation levels fluctuate "less than about 30% along the entire length of the laser rod" (See Applicant's Claims).

For at least the above reasons, the Applicant respectfully submits that claims 1 and 17 are in condition for allowance. Claims 2-8 depend directly or indirectly off of independent claim 1. Accordingly, the Applicant respectfully requests that this rejection be withdrawn for claims 1-8 and 17 as they are now in condition for allowance.

Claim Rejections Under § 103:

The Examiner rejected claims 1-17 under 35 U.S.C. § 103(a) as being unpatentable over Rieger et al. (Patent Publication No. 2002/0018288) in view of Wu et al. (Patent No. 6,157,663), further in view of Heriter et al. (Patent No. 5,455,838). In light of the amendments and arguments contained herein, the Applicant respectfully requests that this rejection be withdrawn.

Claims 1-8 and 17

In contrast to independent claims 1 and 17, as amended herein, Rieger et al. fails to teach or suggest that "spacing between the high-power diode bars and the location of the diode array from the laser rod are selected such that the full-width, half max (FWHM) point of the radiation from one diode bar overlaps the FWHM point of the radiation of an adjacent diode bar so that the radiation received by the laser rod fluctuates less than about 30% along the entire length of the laser rod" (See Applicant's Claims). Specifically, Rieger et al. is completely silent to spacing the high-power bars and the locating the diode array away from the laser rod so as to effectuate an operating condition where the radiation received by the laser rod fluctuates "less than about 30%

along the entire length of the laser" (See Applicant's Claims). For the same reasons as those presented above, both Wu et al. and Heriter et al. fail to cure the deficiencies of Rieger et al.

For at least the above reasons, the Applicant respectfully submits that claims 1 and 17 are in condition for allowance. Claims 2-8 depend directly or indirectly off of independent claim 1. Accordingly, the Applicant respectfully requests that this rejection be withdrawn for claims 1-8 and 17 as they are now in condition for allowance.

Claims 9-16

In contrast to independent claim 9, as amended herein, Rieger et al. fails to teach or suggest that "spacing between the high-power diode bars and the location of the first diode arrays from the first laser rod are selected such that the full-width, half max (FWHM) point of the radiation from one diode bar overlaps the FWHM point of the radiation of an adjacent diode bar on the same first diode array so that the radiation received by the laser rod fluctuates less than about 30%" along the entire lengths of both the first laser rod and the second laser rod. Specifically, Rieger et al. is completely silent to spacing the high-power bars and the locating the diode array away from the laser rod so as to effectuate an operating condition where the radiation received by the first and second laser rods fluctuates "less than about 30% along the entire length of the laser" (See Applicant's Claims). For the same reasons as those presented above, both Wu et al. and Heriter et al. fail to cure the deficiencies of Rieger et al.

For at least the above reasons, the Applicant respectfully submits that claim 9 is in condition for allowance. Claims 10-16 depend directly or indirectly off of independent claim 9. Accordingly, the Applicant respectfully requests that this rejection be withdrawn for claims 9-16 as they are now in condition for allowance.

CONCLUSION

The Applicant believes that given the above amendments and remarks, claims 1-17 are now in condition for allowance and such is respectfully requested.

Although the Applicant believes that the filing of this response is time, the Commissioner is hereby authorized to charge any additional fees or credit any over payments due with this response to deposit account 13-0480 referencing attorney docket number 67411811-001106.

Respectfully submitted,

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